



Sen. Julie A. Morrison

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09900SB0549sam001

LRB099 03300 RLC 46515 a

1 AMENDMENT TO SENATE BILL 549

2 AMENDMENT NO. _____. Amend Senate Bill 549 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Firearm Owners Identification Card Act is
5 amended by changing Section 3.3 as follows:

6 (430 ILCS 65/3.3)

7 Sec. 3.3. Report to ~~the local~~ law enforcement agency.

8 (a) If the Department of State Police determines, based on
9 information obtained under subsection (a-10) of Section 3 or
10 Section 3.1 of this Act, that a person attempting to purchase a
11 firearm or applying for a Firearm Owner's Identification Card
12 is disqualified from possessing a firearm under State or
13 federal law, the Department of State Police shall send
14 notification of denial as described in this Section to all
15 local law enforcement agencies, State's Attorneys, and United
16 States Attorneys who have jurisdiction over either: (A) the

1 area where the attempted purchase occurred; or (B) the area
2 where the attempted purchaser or applicant resides.

3 (a-5) If the Department of State Police determines that a
4 person attempting to purchase a firearm or applying for a
5 Firearm Owner's Identification Card is disqualified from
6 possessing a firearm under State or federal law, and that the
7 person is on probation, conditional discharge, parole,
8 aftercare release, or mandatory supervised release, the
9 Department of State Police shall send notification of denial as
10 described in this Section to the person's probation, parole, or
11 aftercare release officer.

12 (b) The notification under subsection (a) of this Section
13 shall include the identity of the attempted purchaser or
14 applicant, the date and time of the denial, the grounds for the
15 denial, and the location where the attempted purchase or
16 application was made.

17 (c) The Department of State Police shall make the
18 notification under subsection (a) of this Section within 24
19 hours after the denial, except that, if the notification would
20 compromise an ongoing investigation, the notification may be
21 delayed for so long as necessary to avoid compromising the
22 ongoing investigation.

23 (d) A local law enforcement agency that receives one or
24 more of the notifications under subsection (a) of this Section
25 shall, on an annual basis, make a written report to the
26 Department of State Police, including the following

1 information for each notification received in that period:

2 (1) whether the denial is the subject of an active or
3 completed investigation;

4 (2) the status of any open investigation and the
5 disposition of any completed investigation arising from
6 the denial, including without limitation whether the
7 attempted purchaser or applicant was arrested, referred
8 for prosecution, or convicted of a crime in connection with
9 the denial;

10 (3) if the denial did not give rise to an
11 investigation, an explanation of why no investigation
12 occurred; and

13 (4) any other information the local law enforcement
14 agency deems relevant to the denial.

15 (e) A State's Attorney who receives one or more of the
16 notifications under subsection (a) of this Section shall, on an
17 annual basis, make a written report to the Department of State
18 Police, including the following information for each
19 notification received in that period:

20 (1) whether the denial is the subject of an active or
21 completed investigation;

22 (2) whether the attempted purchaser or applicant has
23 been arrested or charged with violating Section 24-3.5 of
24 the Criminal Code of 2012, subsection (d-5) of Section 14
25 of this Act, or any other provision of State law, in
26 connection with the denial and, if so, a description of the

1 charge or charges;

2 (3) the disposition of every charge filed against the
3 attempted purchaser or applicant in connection with the
4 denial;

5 (4) if the denial did not give rise to a criminal
6 charge, an explanation of why no charge was filed; and

7 (5) any other information the State's Attorney deems
8 relevant to the denial.

9 (f) The Department of State Police shall publish a written
10 report, on an annual basis, including the following
11 information:

12 (1) the number of denials of firearm transfers;

13 (2) the number of denials of applications for Firearm
14 Owner's Identification Cards;

15 (3) the number of notifications of denial made to State
16 law enforcement agencies, local law enforcement agencies,
17 State's Attorneys, and United States Attorneys under
18 subsection (a) of this Section;

19 (4) if notification was not made for any denials, an
20 explanation of why the notification was not made;

21 (5) the number of investigations opened, the number of
22 investigations concluded, and the number of referrals for
23 prosecution;

24 (6) the number of investigations opened, by grounds for
25 denial;

26 (7) the number of referrals for prosecution, by grounds

1 for denial;

2 (8) the number of charges arising from denials, by type
3 of charge and grounds for denial; and

4 (9) the disposition of all these charges, by type of
5 charge and grounds for denial. The Department of State
6 Police must report the name and address of a person to the
7 local law enforcement agency where the person resides if
8 the person attempting to purchase a firearm is disqualified
9 from purchasing a firearm because of information obtained
10 under subsection (a-10) of Section 3 or Section 3.1 that
11 would disqualify the person from obtaining a Firearm
12 Owner's Identification Card under any of subsections (c)
13 through (n) of Section 8 of this Act.

14 (Source: P.A. 98-508, eff. 8-19-13.)".